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REVENUE DEPARTMENT

REVENUE

(194⁶) Department

Ms. SERIES.

G.O. No. 1130

Dated 27th May 1946

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[Despatch Abstract.]

Alienation - Land and Revenue - (Bellary) - Bellary taluk - S.No. 604
Part - Cowl Bazar - Savitramma Memorial hall - Cancellation of Collector's
proceedings.

Revenue Department
 From (Name) Khan Sahib G. Abdul
 Sattar Sahib Bahadur, B.A.,
 Designation Joint Secretary, Board
 of Revenue.
 Station Madras.

Received.....

To
The

Enclosures:

Ref. No. E. 3933/44-7 dated 15th May 1946

/S/

E. Bennett, Esq., I.C.S.,
 Commissioner of Land Revenue and Post War Reconstruction.

SUB: Alienation of Land and Revenue (Bellary) - Bellary taluk -
 S.No. 634 part 5, Cowli Bazar, Savitramma Memorial Hall -
 cancellation of collector's proceedings.

Read: From Collector, Bellary, C.6700/44, d.16-11-44.
 " " C.6700/44 A2, d.9-10-45.
 d.25-1-46.
 d.22-4-46.

REFERENCE:

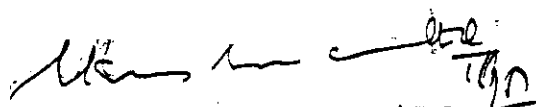
In his R.Dis. No. 79/44, dated 7-3-44, the Collector of Bellary granted permission to one Boyana Bojjamma to enter upon part of the land comprised in S.No.634 of Bellary town measuring 145 sq.yds., pending sanction of alienation for the construction of a Memorial Hall in the name of her deceased daughter Savitramma. The value of the land was reported to be Rs.36-4-0 at Rs.0-4-0 per sq.yd. The building was to include a room for worship, a reading room and a library and it was proposed to be thrown open to people of all communities. The Collector in his letter first cited above requested the Board to recommend to the Government the ratification of his action in having accorded permission to Boyana Bojjamma to enter upon the land pending formal alienation.

Under Note (iii) to B.S.O. No.24 (2), permission to enter upon the land pending alienation can be granted only in favour of local bodies by the authority competent to sanction the alienation. There is no provision to accord such permission to a private body or a private individual. The action of the Collector in having granted the permission referred to above was therefore ultra vires. This was pointed out to him and he was asked to submit detailed alienation proposals with a view to rectify this defect.

2. The proposed alienation died subsequently and the construction of the building was also completed. The Collector reported that there was no need to alienate the site and that it could be assigned to the heir of the deceased lady under the house-site rules after collecting the market value. He requested that the orders issued in his R.Dis. No. 79/44 dated 7-3-44 might be cancelled so that steps might be taken for the assignment of the land. The legal heir of the deceased is also willing to take the site on assignment.

3. In the circumstances the Board recommends that the permission to enter upon the land given by the Collector in his R.Dis. No. 79/44, dated 7-3-44, may be cancelled, as it is ultra vires. The Collector is being asked to take steps for the assignment of the site.

4. The Collector of Bellary is requested to submit in due course assignment proposals to the Board separately, if necessary.


for JOINT SECRETARY.

To the Secretary to Government, Revenue Dept.
" Collector of Bellary - para.4.
VSK.15-5


16/5

Rev. Dept.

Subj: - Alienation - Land and Revenue -
(Bellary) - Bellary taluk -
S.No. 634 Part - Cowl Bazar
Savitramma Memorial hall -
Cancellation of Collector's proceedings.

15/5

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Read: - From the Bd. of Rev. Ref. NFE. 3933/44-7
of 15-5-46

G.O. Ms. No. 1130 dated 27-5-46.

In the circumstances stated by the Board of Revenue in its ref. read above the Govt. Cancel the proceedings of the Collector of Bellary R.D. no 79/44 of 7-3-44 in which permission was granted to one Boyanna Bojamma to enter upon part of the land comprised in S.No. 634 of

Bellary town
125/5/46 25/5/46

27/5/46

To the Bd. of Rev.
25/5/46

OFFICE OF THE

Date _____ 194____, Hours _____ Minutes _____

TELEPHONIC MESSAGE

From	The Supdt Bd of Revenue	To	Supdt F. Revenue Dept.
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Alienation Land & Revenue
Bellary.

Your T. M. of yesterday
Bd's Ref: No E 3933/44-79
15.5.46.

Reply:

According to note (III) to
B.S.O. No: 24 para 2 neither
the Collector nor the Board
empowered to permit a private
body or an individual to enter
upon the land, pending sanction
of formal alienation. In the

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permission was given by the Collector
to a private person. Hence the Govt was
addressed to cancel the orders of
alienation passed in Collector's
R. dis No 49/44 dt 7-3-44

by